

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,)	
)	No. 62098-3-I
Respondent,)	
)	DIVISION ONE
v.)	
)	
WILLIE LEE RAINEY,)	UNPUBLISHED OPINION
)	
Appellant.)	FILED: May 26, 2009

PER CURIAM. Willie Rainey appeals his conviction and sentence of two count of violation of felony violation of a protection order, arguing that one of the convictions must be vacated. The State concedes a violation of double jeopardy under the facts of this case and agrees remand is required for vacation of one of the convictions. The concession is well-taken. State v. Borsheim, 140 Wn. App. 357, 366, 165 P.3d 417 (2007); State v. Berg, 147 Wn. App. 923, 932, 198 P.3d 529 (2008).

We accordingly remand to the trial court for vacation of one of the counts of violation of a protection order.

For the court:



